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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,365	04/12/2002	Kurt Elith Thomsen	378/9-1659	7801

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02/20/2003

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EXAMINER

LEE, JONG SUK

ART UNIT

PAPER NUMBER

3673

DATE MAILED: 02/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/089,365

Applicant(s)

THOMSEN, KURT ELITH

Examiner

Jong-Suk (James) Lee

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. The preliminary amendment filed on April 12, 2002 has been entered.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The title should be amended to be commensurate with the claimed invention, i.e., **Vessel with Vertically Elevational Support Legs.**

3. The disclosure is objected to because of the following informalities:

The sub-headings for various sections of the specification are omitted. It is suggested that headings be inserted in the specification in order to present the disclosure properly.

Refer to followings:

The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the title of the invention, each of the lettered items should be preceded by the headings

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1 indicated below.

- 2
- 3 (a) Title of the Invention.
- 4 (b) Cross-References to Related Applications (if any).
- 5 (c) Statement as to rights to inventions made under Federally-sponsored research and
- 6 development (if any).
- 7 (d) Background of the invention.
- 8 1. Field of the Invention.
- 9 2. Description of the Related Art including information disclosed under 37
- 10 CFR 1.97-1.99.
- 11 (e) Summary of the Invention.
- 12 (f) Brief Description of the Drawing.
- 13 (g) Description of the Preferred Embodiment(s).
- 14 (h) Claim(s).
- 15 (I) Abstract of the Disclosure.

16 Appropriate correction is required.

17

18 ***Claim Objections***

19 4. Claims 1-8 are objected to because of the following informalities:

20 Claim 1, line 1: "Vessel" should be --A vessel--.

21 Claims 2-8, line 1, respectively: "Vessel" should be --The vessel--.

22 Claim 1, lines 5-6: "which by first means are connected to the hull's right and left long

23 side, respectively," is suggested to be --being connected to a right side and a left side of

24 the hull by first means, respectively,--.

25 Claim 2, line 4: "a support leg" should be --the support leg--.

26 Claim 3, lines 2: "each support leg" should be --each of said support legs--.

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1 Claim 5, line 2: "hollow spaces/chambers" (first and second occurrences) should be --
2 hollow spaces or chambers--.

3 Claim 5, lines 4-5: "filled with/emptied" should be --filled with or empties--.

4 Appropriate correction is required.
5

6 *Claim Rejections - 35 USC § 112*

7 5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

8 The specification shall conclude with one or more claims particularly pointing out and
9 distinctly claiming the subject matter which the applicant regards as his invention.
10

11 6. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for
12 failing to particularly point out and distinctly claim the subject matter which applicant regards as
13 the invention.

14 Re claim 1: A broad range or limitation followed by linking terms i.e., "**preferably**" in
15 **line 1**, particularly, and especially, and a narrow range or limitation within the broad range
16 or limitation is considered indefinite since the resulting claim does not clearly set forth the
17 metes and bounds of the patent protection desired.
18

19 Re claim 2: The limitation, "the inner surfaces" in line 3 and "the outer circumference" in
20 line 4, respectively, lacks clear antecedent basis.

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1 Re claim 7: The limitation, "a considerable distance to the ship's waterline and between
2 same and the ship's bottom" in lines 2-3 renders the claim indefinite because it is not clear
3 as to which element is relating to the "same".
4

5 Re claim 8: The phrase "for example" in line 2 renders the claim indefinite because it is
6 unclear whether the limitation(s) following the phrase are part of the claimed invention.
7 See MPEP § 2173.05(d).
8

9 Appropriate correction is required.
10

11 ***Claim Rejections - 35 USC § 103***

12 7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness
13 rejections set forth in this Office action:

14 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
15 section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
16 such that the subject matter as a whole would have been obvious at the time the invention was made to a person
17 having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the
18 manner in which the invention was made.
19

20 8. Claims 1, 2 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over
21 Dysarz (US 4,065,934) in view of Hellerman et al (US 4,040,265).

22 Dysarz discloses a vessel/ship (300) for transport and mounting of structures comprising

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1 of: a hull (302) and at least three vertically elevational support legs (16), displacement
2 means/jacking mechanism (18) for elevating the support legs being mounted in at least two
3 consoles/beams (20, 324, 326), the consoles being connected to the hull's right and left long side
4 by first means (340, 334, 348, 355), respectively (see Figs. 13-15), the consoles comprising at
5 least one sleeve/preload tank (20) with inherently friction reducing substance on the inner surface
6 of the sleeves (20), the first means including a rail (340) secured to the hull (302) with fasteners
7 and the inner surfaces enclosing parts of the outer circumference of the support leg (16), the
8 vessel/ship including hollow spaces/chambers in the hull (302) being controlled by control
9 system/pump in filling or emptying water for the chambers (see Figs. 6, 8 and 13-15; col.7, lines
10 9-68; col.8, lines 1-68; col.9, lines 1-18).

11 However, Dysarz fails to disclose or fairly suggest the four support legs and crane.

12 Hellerman et al. discloses a mobile offshore platform comprising of: a vessel/ship/boat-shaped
13 barge/hull (12) being supported by means of four vertically support legs (18-24) and a crane (40)
14 to the deck of the vessel for handling and placing off-shore structures (see Figs. 1-4; col.6, lines
15 66-68; col.7, lines 1-68; col.8, lines 1-33).

16 Therefore, in view of Hellerman et al, it would have been obvious to one of the ordinary
17 skill in the art at the time the invention was made to provide the four support legs and crane to
18 Dysarz's vessel in order to enhance the stability of the vessel when it is installed at the site and
19 efficiently manipulating the off-shore structures from the deck of the vessel with the crane

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1 assembly.

2 With respect to the elevation for the upper and lower end surface of the console, it would
3 have been obvious to one of the ordinary skill in the art at the time the invention was made to
4 adjust the elevation of the console location in order to provide more safe environment to the
5 working personnel on the deck section or around the vessel.
6

7 9. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dysarz, as modified
8 by Hellerman et al, as applied to claim 1, and further in view of Collins (US 4,473,256). The
9 teachings of Dysarz modified by Hellerman et al have been discussed above.

10 However, the teachings of Dysarz modified by Hellerman et al fails to disclose or fairly
11 suggest the displacement means are wire winch and a hydraulic system.

12 Collins discloses a chisel barge comprising of a plurality of supporting legs (175), a
13 plurality of wire winches (146-148) to control the supporting legs with wires (47) and hydraulic
14 system (39, 41) (see Figs. 1-2; col.3, lines 39-68; col.4, lines 1-68; col.5, lines 1-22; col.8, lines
15 37-68; col.9, lines 1-13).

16 Therefore, in view of Collins, it would have been obvious to one of the ordinary skill in
17 the art at the time the invention was made to further modify the displacement means/the jacking
18 mechanism of Dysarz, as modified by Hellerman et al by replacing with the winch, wire and
19 hydraulic system in order to reduce the manufacturing cost and repair the displacement

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1 mechanism in more efficient ways.

2
3 10. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dysarz, as modified
4 by Hellerman et al, as applied to claim 1, and further in view of Blanford et al (US 5,964,550).

5 The teachings of Dysarz modified by Hellerman et al have been discussed above.

6 However, the teachings of Dysarz modified by Hellerman et al fails to disclose or fairly
7 suggest the supporting legs having load cells

8 Blanford et al discloses a tension mooring system having a plurality of support
9 legs/tendons (17) having a load cell (62) attached to the tendon porch (60) (see Figs. 1-8; col.4,
10 lines 27-53; col.6, lines 28-57).

11 Therefore, in view of Blanford et al, it would have been obvious to one of the ordinary
12 skill in the art at the time the invention was made to further modify the supporting legs of Dysarz,
13 as modified by Hellerman et al by adding the load cell to them in order to measure the load and
14 stress acting on the supporting legs while controlling the supporting legs.

15
16 ***Priority***

17 11. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-
18 (d). The certified copy of the priority documents have been received in this national stage
19 application from the international Bureau (PCT Rule 17.2 (a)).

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Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Other references disclose method and apparatus for erecting offshore platform, a method of locating an offshore drilling platform and a method for lifting equipment for an offshore construction.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jong-Suk (James) Lee whose telephone number is (703) 308-6777. The examiner can normally be reached between the hours of 6:30 AM to 3:00 PM Monday thru Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather C. Shackelford, can be reached on (703) 308-2978. The fax phone number for this Group is (703) 305-3597.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

J. Lee /jjl
February 10, 2003



Jong-Suk (James) Lee
Primary Examiner
Art Unit 3673